

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MICHAEL KULAKOWSKI,)	
)	
Plaintiff,)	
)	
vs.)	CASE NO.
)	3:16-CV-02510
)	
WESTROCK SERVICES, INC.,)	
)	
Defendant.)	

DEPOSITION OF
DONALD CHARLES TAYLOR
Taken on Behalf of the Plaintiff
November 16, 2017
Commencing at 9:50 a.m.

Reported by: Jerri L. Porter, RPR, CRR
Tennessee LCR No. 335
Expires: 6/30/2018

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1 A No, ma'am. And for the record, he did not
 2 punch them. He slapped them, backhand.

3 Q Right. Okay. But as I understand it, it
 4 still hurts to be slapped backhand.

5 A Yes, yes.

6 Q When that happened, when Mr. Whited would
 7 hit you in the groin or hit you in the arm, why
 8 didn't you call HR?

9 A Because I knew that was his way of playing.
 10 And I figured the only way that I would get him to
 11 stop is to hit him back.

12 Q Were you -- well, who was HR out at the
 13 plant?

14 A I'm sorry, I don't know that one.

15 Q Okay. Did you ever deal with Helen Kendall?

16 A Yes.

17 Q What was your understanding of her role?

18 A I didn't know what her role was.

19 Q Okay. And you don't know who HR is out at
 20 the fulfillment center?

21 A Right now, I think it's Terri. I think
 22 that's her name. I'm not sure.

23 Q Okay. Before Mr. Whited was terminated, did
 24 you know?

25 A No. I didn't even know we had the HR there

1 had any occasion to meet with her?

2 A No, ma'am.

3 Q Okay. And you said you had seen her out at
4 the fulfillment center a couple of times before. Do
5 you know about how many times you'd seen her out
6 there?

7 A Just a couple, when they would bring up
8 about the insurance with Helen.

9 Q Okay. Like when y'all had to re-sign-up for
10 insurance --

11 A Yes.

12 Q -- at the end of the year?

13 A Yes.

14 Q Okay. Have you been provided a copy of the
15 company handbook?

16 A Yes, ma'am.

17 Q Do you get one on a yearly basis or every
18 couple of years or how does that work?

19 A If I'm not mistaken, I think one comes out
20 every year. We go to sign up for the insurance. I
21 know we get a big envelope, and it has to do with
22 the insurance, but I think usually the handbook
23 comes in that, too.

24 Q Okay. And y'all just have to sign saying
25 that you received it?

1 A Yes.

2 Q You hit Mr. Whited back and you weren't
3 terminated by Tommy, correct?

4 A Correct.

5 Q J.R. Sanders hit Tommy back and wasn't
6 terminated by Tommy, correct?

7 A Correct.

8 Q Jerry Harville hit Tommy back and wasn't
9 terminated by Tommy, correct?

10 A Correct.

11 Q You indicated that you thought Tommy tried
12 to protect Kuli at times. Were there times that he
13 could have terminated Mr. Kulakowski but he didn't
14 do so?

15 A Yes.

16 MS. COLLINS: Objection to form.

17 BY MS. DOHNER SMITH:

18 Q I just want to make sure the record is
19 clear, because I think you testified that there were
20 a couple of times before Tommy Whited was terminated
21 that corporate HR came, or someone from corporate
22 came and talked about harassment and reporting
23 harassment.

24 A Correct.

25 Q And before Tommy was let go, someone from

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1 the main office or HR had also talked about the
2 corporate hotline and how to report things?

3 A Yes.

4 Q You testified that you thought Larry Eden
5 was a yes-man and wouldn't stand up to Tommy Whited.
6 Did Michael Kulakowski have the same opinion of
7 Larry?

8 A Yes.

9 MS. COLLINS: Objection to form.

10 BY MS. DOHNER SMITH:

11 Q Did he express to you that he had that same
12 opinion of Larry?

13 A Yes.

14 Q And he knew Larry wasn't going to do
15 anything to stop Tommy?

16 A Correct.

17 Q I'm just going to have you look at what has
18 previously been marked as Exhibit 4.

19 (Presented Exhibit No. 4.)

20 BY MS. DOHNER SMITH:

21 Q I think earlier you said that you received
22 your own copy of the handbook.

23 A Yes. I do know I have one at home.

24 Q Okay.

25 A It's a newer one.

1 Q The harassment policy is in the handbook,
2 correct?

3 A I think so. I haven't really looked at it,
4 but yes, ma'am.

5 Q If you look at Page 11 of this --

6 THE WITNESS: Can I borrow your
7 glasses, please?

8 MS. COLLINS: Absolutely.

9 THE WITNESS: I promise I won't walk
10 out with them.

11 MS. COLLINS: It's okay.

12 BY MS. DOHNER SMITH:

13 Q Looking at that document, does that appear
14 to be WestRock's sex harassment policy?

15 A (Reviewing document.)

16 I can't say yes and I can't say no, because
17 I haven't really read it.

18 Q Okay. This policy here, though, it actually
19 has a 1-800 number listed there to call, correct?

20 A Yes, ma'am.

21 Q Any reason to think that this isn't the
22 company's handbook?

23 A No.

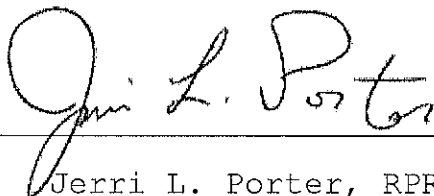
24 Q Okay. And Page 7 of the handbook, that
25 actually has the compliance hotline as well,

REPORTER'S CERTIFICATE

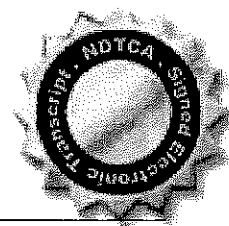
I, Jerri L. Porter, RPR, CRR, Notary Public and Court Reporter, do hereby certify that I recorded to the best of my skill and ability by machine shorthand all the proceedings in the foregoing transcript, and that said transcript is a true, accurate, and complete transcript to the best of my ability.

I further certify that I am not an attorney or counsel of any of the parties, nor a relative or employee of any attorney or counsel connected with the action, nor financially interested in the action.

SIGNED this 28th day of November, 2017.



Jerri L. Porter, RPR, CRR



My Notary commission expires: 2/19/2018

Tennessee LCR No. 335
Expires: 6/30/2018